

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ZEKHARYAH LEVI LINK and
ETHAN RYAN LINK, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ROBERT LINK,

Respondent-Appellant,

and

MONICA COLCORD,

Respondent.

UNPUBLISHED

October 1, 1999

No. 216832

Wexford Circuit Court

Family Division

LC No. 97-002364 NA

Before: Griffin, P.J., and Zahra and Pavlich*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court order terminating his parental rights to the minor children under MCL 712A.19b(3)(g), (i) and (j); MSA 27.3178(598.19b)(3)(g), (i) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

As his sole issue on appeal, respondent-appellant contends that the trial court abused its discretion in denying his motion for an adjournment so that he could locate certain witnesses and hire different counsel. A court's ruling on a motion for an adjournment is discretionary and is reviewed for an abuse of discretion. *In re Jackson*, 199 Mich App 22, 28; 501 NW2d 182 (1993). The burden of proof is on the party asserting an abuse of discretion. *Id.* Here, respondent-appellant has failed to show that his request for an adjournment was based on good cause, or that the trial court abused its discretion in denying his request. *Soumis v Soumis*, 218 Mich App 27, 31; 553 NW2d 619 (1996).

* Circuit judge, sitting on the Court of Appeals by assignment.

Further, the record does not support respondent-appellant's claim that he was denied due process or a fair hearing as a result of the trial court's ruling.

Affirmed.

/s/ Richard Allen Griffin

/s/ Brian K. Zahra

/s/ Scott L. Pavlich